(*2*) Where any such claim as aforesaid has been dismissed for failure to prosecute such claim after the seventh day of August, 1910, and before the commencement of this Act either in a Court of first instance or of appeal or of revision, and the Court on application made as hereinafter provided is satisfied that such failure was due to the belief that such claim, if prosecuted, would be dismissed for any of the grounds specified in clauses (*a*), (*b*) and (*c*) of sub-section (*1*),

the case shall be restored on an application in writing to the Court by which the claim was dismissed; provided that such application is made within six months from the commencement of this Act.

(*3*) The provisions of sections 2, 3 and 4 shall apply to any case restored under either of the foregoing sub-sections.

XVII of 1879.

6. Any application by the mortgagee under section 39 of the [1]Dekkhan Agriculturists' Relief Act, 1879, in respect of any claim for sale or foreclosure as to which the mortgagee was entitled to the benefit of the two years' period mentioned in section 31 of the said Act, made on or before the eighth day of August, 1910, and dismissed after the twenty-third day of February, 1911, shall be restored to the file of the Conciliator provided that the application for such restoration is made within two months from the commencement of this Act. Provision for restoration of applications.

7. Nothing in this Act shall affect the interests of third parties that may have come into existence between the twenty-third of February, 1911, and the twenty-eighth of September, 1912. Third parties protected.

BOMBAY ACT No. I OF 1913.[2]

[THE CITY OF BOMBAY IMPROVEMENT (AMENDMENT) ACT, 1913.]

[*3rd January, 1913.*]

An Act further to amend the City of Bombay Improvement Act, 1898.

Bom. Act IV of 1898.

WHEREAS it is expedient further to amend the [3]City of Bombay Improvement Act, 1898, hereinafter called "the said Act," in manner hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the City of Bombay Improvement (Amendment) Act, 1913. Short title.

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[1] Vol. I of this Code.

[2] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1912, Part VII, page 435; for Report of Select Committee, *see ibid*, 1912, Part VII, page 537; and for Proceedings in Council, *see ibid*, 1912, Part VII, pages 633 and 790.

[3] Vol. IV of this Code.

Amendment of section 15.

2. In section 15, sub-section (*1*), clause (*b*), of the said Act, for the words "six consecutive ordinary meetings of the Board" the words "all the meetings of the Board for a period of three months" shall be substituted.

Amendment of section 16.

3. In section 16, sub-section (*2*), of the said Act, for the words "which he may be liable to pay under the Civil Service Regulations" the words "payable on his account under any general or special orders of Government for the time being in force regulating the transfer of Government servants to foreign service" shall be substituted.

Amendment of section 22.

4. (*1*) In section 22, sub-section (*2*), of the said Act, for the words "the Civil Service Regulations" the words "any general or special orders of Government for the time being in force regulating the transfer of Government servants to foreign service" shall be substituted.

(*2*) After sub-section (*3*) of section 22 of the said Act, the following sub-section shall be inserted, namely :—

[Vol. IV of this Code.]

Amendment of section 23.

5. In section 23 of the said Act, after the words "the improvement of such area", the following words shall be inserted, namely :—

[Vol. IV of this Code.]

Insertion of new section after section 23.

6. After section 23 of the said Act, the following section shall be inserted, namely :—

[Vol. IV of this Code.]

New section 24A.

7. After section 24 of the said Act the following section shall be inserted, namely :—

[Vol. IV of this Code.]

Amendment of section 27.

8. In section 27, sub-section (*1*), clause (*a*) of the said Act, for the words "thirty days" the words "three months" shall be substituted.

New sections 27A and 27B.

9. After section 27 of the said Act, the following sections shall be inserted :—

[Vol. IV of this Code.]

10. (*1*) In section 32 of the said Act after the expression " 27 ", the expression " 27A, 27B " shall be inserted. Amendment of section 32 and new section 32A.

(*2*) After section 32 of the said Act the following heading and section shall be inserted :—

[Vol. IV of this Code.]

11. After section 32A of the said Act the following heading and sections shall be inserted :— New sections 32B to 32I.

[Vol. IV of this Code.]

12. In section 35, sub-section (*1*), of the said Act, for the words " thirty days " the words " three months " shall be substituted. Amendment of section 35.

13. For section 40 of the said Act the following section shall be substituted, namely :— Amendment of section 40.

[Vol. IV of this Code.]

14. For section 41 of the said Act and the heading appearing immediately above the same, the following heading and section shall be substituted, namely :— Substitution of section for section 41.

[Vol. IV of this Code.]

15. After sub-section (*2*) of section 45 of the said Act, the following sub-section shall be inserted :— Amendment of section 45.

[Vol. IV of this Code.]

16. In section 47 of the said Act, Amendment of section 47.

(*a*) in sub-section (*2*) for the expression " 25, 30 or 38 " the expression " 23, 30, 32B or 38 " shall be substituted ; and

(*b*) in sub-section (*3*) for the expression " 29, 32 or 39 " the expression " 29, 32, 32D or 39 " shall be substituted.

(*c*) to sub-section (*3*) the following provisos shall be added :—

[Vol. IV of this Code.]

17. (*1*) For sub-section (*2*) of section 48 of the said Act the following shall be substituted :— Amendment of section 48.

[Vol. IV of this Code.]

(*2*) After sub-section (*12*) of section 48 of the said Act the following sub-section shall be added, namely :—

[Vol. IV of this Code.]

Amendment of section 51.

18. For section 51 of the said Act the following shall be substituted :—

[Vol. IV of this Code.]

New section 51A.

19. After section 51 of the said Act the following shall be inserted :—

[Vol. IV of this Code.]

Amendment of section 53.

20. In section 53 of the said Act after the word "which" the words "and the time at which" shall be inserted.

Repeal of section 54.

21. Section 54 of the said Act is hereby repealed.

New sections 58A and 58B.

22. After section 58 of the said Act the following sections shall be inserted :—

[Vol. IV of this Code.]

Amendment of section 60.

23. (*1*) For sub-section (*2*) of section 60 of the said Act the following shall be substituted :—

[Vol. IV of this Code.]

(*2*) In sub-section (*5*) of the said section, for the words "remain unappropriated" the words "remain unsurrendered, unappropriated to building purposes" shall be substituted, and the word "and" where it occurs after the word "Act" shall be repealed.

(*3*) In sub-section (*6*) of the said section, for the words "except those appropriated to the purpose mentioned in clause (*a*) of sub-section (*3*)" the words "except those appropriated as open spaces" shall be substituted.

(*4*) After sub-section (*6*) of the said section the following sub-sections shall be inserted :—

[Vol. IV of this Code.]

(5) In sub-section (7) of the said section the last 24 words and the figures "51 (*1*)" shall be deleted.

(6) After sub-section (7) of the said section the following sub-section shall be added :—

[Vol. IV of this Code.]

Amendment of section 61.

24. (*1*) In sub-section (*3*) of section 61 of the said Act for the words "the value of the land as determined under section 51 (*2*) and the liability (if any) of the Board to Government under section 70 in respect of the land shall be remitted" the following words shall be substituted, namely :—

[Vol. IV of this Code.]

(*2*) To section 61 of the said Act the following proviso shall be added namely :—

[Vol. IV of this Code.]

Amendment of section 62.

25. For section 62 of the said Act the following section shall be substituted, namely :—

[Vol. IV of this Code.]

Amendment of section 64.

26. For section 64 of the said Act the following shall be substituted :—

[Vol. IV of this Code.]

Repeal of sections 66, 67, 68, 69, 70 and 71.

27. Sections 66, 67, 68, 69, 70 and 71 of the said Act are hereby repealed.

New section 71A.

27A. After section 71 of the said Act the following shall be inserted :—

[Vol. IV of this Code.]

Amendment of section 72.

28. For section 72 of the said Act the following shall be substituted :—

[Vol. IV of this Code.]

Repeal of section 73.

29. (*1*) Section 73 of the said Act is hereby repealed.

(*2*) The amendment contained in sub-section (*1*) shall be deemed to have been made and to have effect from the 30th November, 1911, so that no further payment shall be made by the Commissioner to the Board or by the Board to the Commissioner, as the case may be, under section 73 (*3*) subsequent to the above date.

Repeal of section 76 and of part of section 77.

30. (*1*) Section 76 of the said Act is hereby repealed.

(*2*) In clause (*a*) of sub-section (*1*) of section 77 of the said Act, the words "and all payments for interest charges due under sections 68 and 70" are hereby repealed.

Amendment of section 79.

31. (*1*) Sub-section (*3*) of section 79 of the said Act is hereby repealed.

(*2*) The amendment contained in sub-section (*1*) shall be deemed to have been made and to have effect from the 31st March, 1912, so that the provisions of sub-section (*3*) of section 79 of the Act shall not apply to any balance remaining at the end of the official year ending on the 31st March, 1912.

Amendment of sections 80 to 82.

32. For sections 80 to 82 of the said Act the following shall be substituted :—

[Vol. IV of this Code.]

New section 89A.

33. After section 89 of the said Act the following heading and section shall be inserted, namely : —

[Vol. IV of this Code.]

Amendment of Schedule C.

34. In Schedule C to the said Act, for the entry relating to plot 1, *the Flats*, the following shall be substituted :—

[Vol. IV of this Code.]

BOMBAY ACT No. II OF 1913.[1]

[THE BOMBAY COURT OF WARDS AMENDMENT ACT, 1913.]

[*22nd May, 1913.*]

An Act to amend the Bombay Court of Wards Act, 1905.

WHEREAS it is expedient to amend the [2]Bombay Court of Wards Act, 1905, in manner hereinafter appearing ; It is hereby enacted as follows :— Bom. Act I of 1905.

Short title.

1. This Act may be called the Bombay Court of Wards Amendment Act, 1913.

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[1]For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1912, Part VII, page 911 ; for Report of Select Committee, *see ibid*, 1913, Part VII, page 19 ; and for Proceedings in Council, *see ibid*, 1913, Part VII, pages 76 and 186.

[2]Vol. IV of this Code.